



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2016-9491; Airspace Docket No. 16-AGL-25]

Amendment of Class E Airspace; Milwaukee, WI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the legal description of Class E airspace extending upward from 700 feet or more above the surface of the Earth at Milwaukee, WI, updating the airport name of Batten International Airport (formerly John H. Batten Airport), Racine, WI. This action also updates the geographic coordinates of General Mitchell International Airport, Milwaukee, WI, to coincide with the FAA's aeronautical database.

DATES: Effective 0901 UTC, April 27, 2017. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at http://www.faa.gov/air_traffic/publications/.

For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 20591; telephone: 202-267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11A at NARA,

call 202-741-6030, or go to http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222-5711.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Batten International Airport, Racine, WI, and General Mitchell International Airport, Milwaukee, WI.

History

The FAA was notified that John H. Batten Airport, Racine, WI, has changed its name to Batten International Airport, Racine, WI. This is an administrative change updating the name in the legal description for the airport to match FAA databases. The geographic coordinates for General Mitchell International Airport, Milwaukee, WI, also are adjusted.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11A

dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

This action amends Title 14, Code of Federal Regulations (14 CFR) part 71 by updating the name of Batten International Airport (formerly John H. Batten Airport), Racine, WI, in the regulatory text of the Class E airspace extending upward from 700 feet or more above the surface of the Earth at Batten International Airport, Racine, WI. This action also updates the geographic coordinates of General Mitchell International Airport, Milwaukee, WI, to be in concert with the FAA's aeronautical database.

Section 553(b)(3)(B) of the Administrative Procedures Act (5. U.S.C.) authorizes agencies to dispense with notice and comment procedure when the agency for "good cause" finds that these procedures are "impracticable, unnecessary, or contrary to the public interest." This is an administrative change amending the description for Batten International Airport, and adjusts the geographic coordinates for General Mitchell International Airport, to be in concert with the FAA's aeronautical database and does not affect the boundaries, or operating requirements of the airspace; therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR

TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

* * * * *

AGL WI E5 Milwaukee, WI [Amended]

Milwaukee, General Mitchell International Airport, WI

(lat. 42°56'49"N., long. 87°53'49"W.)

Racine, Batten International Airport, WI

(lat. 42°45'40"N., long. 87°48'50"W.)

Waukesha, Waukesha County Airport, WI

(lat. 43°02'28"N., long. 88°14'13"W.)

Milwaukee, Lawrence J. Timmerman Airport, WI

(lat. 43°06'37"N., long. 88°02'04"W.)

That airspace extending upward from 700 feet above the surface within a 8.4-mile radius of the General Mitchell International Airport, and within an 8.1-mile radius of the Batten International Airport, and within a 7.5-mile radius of the Waukesha County Airport, and within 2 miles each side of the 282° bearing from the Waukesha County Airport extending from the 7.5-mile radius to 10.5 miles west of the Waukesha County Airport, and within an 8.9-mile radius of Lawrence J. Timmerman Airport.

Issued in Fort Worth, Texas, on February 8, 2017.

Walter Tweedy
Acting Manager, Operations Support Group
ATO Central Service Center